

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

—————
TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 5, 2016

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katherine Poole, Page.

3RD ORDER

Approval of Journal

February 5, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-fifth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

February 4, 2016

Mr. Speaker:

I return herewith enrolled [H 342](#) and [H 349](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 342](#) and [H 349](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 4, 2016

Mr. Speaker:

I transmit herewith [SCR 134](#), [S 1213](#), and [S 1215](#) which have passed the Senate.

NOVAK, Secretary

[SCR 134](#), [S 1213](#), and [S 1215](#) were filed for first reading.

5TH ORDER

Report of Standing Committees

February 5, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 439](#), [H 440](#), [H 441](#), and [H 442](#).

WILLS, Chairman

[H 439](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 440](#) and [H 441](#) were referred to the Business Committee.

[H 442](#) was referred to the Education Committee.

February 5, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 365](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 365](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 4, 2016

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 374](#) and [H 375](#) and recommend that they do pass.

WOOD, Chairman

[H 374](#) and [H 375](#) were filed for second reading.

February 4, 2016

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration [H 405](#) and recommend that it do pass.

LUKER, Chairman

[H 405](#) was filed for second reading.

February 4, 2016

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 381](#), [H 382](#), and [H 417](#) and recommend that they do pass.

ANDRUS, Chairman

[H 381](#), [H 382](#), and [H 417](#) were filed for second reading.

February 4, 2016

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 413](#) and report it back with amendments attached to be placed on General Orders for consideration.

PALMER, Chairman

[H 413](#) was placed on General Orders for consideration.

February 5, 2016

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 389](#) and [H 390](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 389](#) and [H 390](#) were filed for second reading.

February 5, 2016

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 428](#) and [S 1210](#) and recommend that they do pass.

DEMORDAUNT, Chairman

[H 428](#) and [S 1210](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 32 BY AGRICULTURAL AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND
COMMEMORATING THE PULSE CROP.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Pea and Lentil Commission was established July 1, 1965, to manage the funds collected from the assessment on dry peas, lentils and chickpeas. The seven-person commission allocates funding for research, domestic and international marketing, government affairs and education; and

WHEREAS, the USA Dry Pea & Lentil Council was also established in 1965 as a nonprofit organization to promote and protect the interests of growers, processors, warehousemen and sellers of dry peas, lentils and chickpeas in the United States; and

WHEREAS, both the Idaho Pea and Lentil Commission and the USA Dry Pea & Lentil Council are headquartered in Moscow, Idaho, also known as the "Pea and Lentil Capital of the World"; and

WHEREAS, the Idaho Bean Commission was created in 1957 to promote Idaho's quality dry and green beans and promote their nutritional and health benefits and is headquartered in Boise. The eight-member commission allocates funding for research, domestic and international marketing, government affairs and education; and

WHEREAS, Idaho has almost 200,000 acres planted annually into beans, dry peas, lentils and chickpeas; and

WHEREAS, pulse crops such as lentils, beans, peas and chickpeas are a vital source of plant-based proteins and amino acids for people around the globe and should be eaten as part of a healthy diet to address obesity, as well as to prevent and help manage chronic diseases such as diabetes, coronary conditions and cancer; and

WHEREAS, pulses are also an important source of plant-based protein for animals; and

WHEREAS, pulses are leguminous plants that have nitrogen-fixing properties that can contribute to increasing soil fertility and have a positive impact on the environment; and

WHEREAS, more than two-thirds of the United States adult population are overweight or obese, with diabetes being one of the leading causes of death. Pulses are a healthy option that are nutrient-dense with fewer calories, have more fiber and protein, deliver great flavor, are gluten-free with low allergen and with low glycemic responses; and

WHEREAS, childhood obesity affects one in every six American youth. Pulses can be a healthy alternative as they are low in fat but high in fiber and protein. Pulses are also rich in zinc, which is crucial to building a healthy immune system.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that we commemorate the mighty Pulse for singular recognition.

BE IT FURTHER RESOLVED that we recognize and thank the Idaho Pea and Lentil Commission and the USA Dry Pea & Lentil Council for their tireless work ensuring this historic and singular recognition of the pulse, bringing honor and respect to the great State of Idaho.

HCR 32 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 134, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 443 BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO MUNICIPAL RECORDS; AMENDING SECTION 50-907, IDAHO CODE, TO PROVIDE THAT HISTORICAL RECORDS MAY NOT BE DESTROYED BUT MAY BE TRANSFERRED TO THE IDAHO STATE HISTORICAL SOCIETY'S PERMANENT RECORDS REPOSITORY UPON RESOLUTION OF THE CITY COUNCIL; AND REPEALING SECTION 50-909, IDAHO CODE, RELATING TO RETENTION OF RECORDS USING PHOTOGRAPHIC AND DIGITAL MEDIA.

HOUSE BILL NO. 444 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO VINTAGE SNOWMOBILES; AMENDING SECTION 67-7101, IDAHO CODE, TO DEFINE A TERM; AND AMENDING SECTION 67-7103, IDAHO CODE, TO PROVIDE THAT OWNERS OF VINTAGE SNOWMOBILES SHALL NOT BE REQUIRED TO OBTAIN CERTIFICATES OF NUMBER OR TO DISPLAY VALIDATION STICKERS.

HOUSE BILL NO. 445 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2016; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2016; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 446 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 447 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 74-105, IDAHO CODE, TO PROVIDE THAT RECORDS RELATED TO PROPOSED OR EXISTING CRITICAL INFRASTRUCTURE HELD BY OR IN THE CUSTODY OF ANY PUBLIC AGENCY SHALL BE EXEMPT FROM DISCLOSURE, TO REVISE A DEFINITION AND PROVIDE A DEFINITION; AND DECLARING AN EMERGENCY.

[H 443](#), [H 444](#), [H 445](#), [H 446](#), and [H 447](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1213](#), by Resources and Environment Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1215](#), by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER

Second Reading of Bills and Joint Resolutions

[HCR 31](#), by Education Committee, was read the second time by title and filed for third reading.

[H 367](#), [H 368](#), [H 369](#), and [H 370](#), by Business Committee, were read the second time by title and filed for third reading.

[H 385](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 396](#) and [H 397](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[S 1197](#), by Resources and Environment Committee, was read the second time by title and filed for third reading.

[H 357](#) and [H 431](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[S 1216](#) and [S 1217](#), by Finance Committee, were read the second time by title and filed for third reading.

11TH ORDER

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [HCR 30](#) and [H 436](#) be placed at the bottom of the House bills on the Third Reading Calendar. There being no objection, it was so ordered.

[H 371](#) - FACTORY BUILT STRUCTURES

[H 371](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall [H 371](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 371](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 378](#) - FISH AND GAME

[H 378](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Youngblood to open debate.

The question being, "Shall [H 378](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 378](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 377](#) - GLOBAL ENTREPRENEURIAL MISSION

[H 377](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Romrell to open debate.

The question being, "Shall [H 377](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 377](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 392](#) - EDUCATION

[H 392](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harris to open debate.

The question being, "Shall [H 392](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 392](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 386](#) - PRODUCTION EXEMPTION

[H 386](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chaney to open debate.

The question being, "Shall [H 386](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 386](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 391](#) - TAX AND EDUCATION

[H 391](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall [H 391](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 391](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 346](#) - ALCOHOLIC BEVERAGES

[H 346](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall [H 346](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 346](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 373](#) - LEGEND DRUGS

[H 373](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 373](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen(Hartgen), Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 373](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 8, 2016. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER
Announcements

Announcements were made to the body.

16TH ORDER
Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 8, 2016. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:42 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk